

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEW MEXICO**

UNITED STATES OF AMERICA,

Plaintiff,

v.

ORLYN G. VIGIL,

Defendant.

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No. 1:24-CR-00546-001 KWR

MOTION TO MODIFY CONDITIONS OF RELEASE

Orlyn G. Vigil, through his attorney, Dennis J. Candelaria, moves this Court to modify his conditions of release for him to reside with his sister, Orlana Vigil. Her residence is located in Dulce, New Mexico. Assistant United States Attorney Mia Rubin, and Pretrial Services Probation Officer Mindy Pirkovic, oppose this modification. In support of this Motion, Mr. Vigil states:

1. Mr. Vigil was arrested on May 7, 2024, on a three-count indictment for assault in violation of 18 U.S.C. §117(a)(1); assault with a dangerous weapon in violation of 18 U.S.C. §1153 and 113(a)(3); and assault of an intimate partner by strangulation in violation of 18 U.S.C. § 1153 and 113(a)(8). (Doc. 2).

2. On May 10, 2024, the Court had a detention hearing and advised that it would not release Mr. Vigil to his residence. However, the Court noted that Mr. Vigil was employed and instructed Pretrial Services to investigate whether there was a viable option to having Mr. Vigil live with a relative or friend pending his trial. The Court continued the detention hearing to May 14, 2024.

3. On May 14, 2024, the Court resumed the detention hearing. Pretrial Services Officer Mindy Pirkovic informed this Court that his sister, Orlana Vigil, was a suitable third-party custodian; however, her residence was not as there was no running water. Subsequent to the detention hearing, the Court set conditions of release placing Mr. Vigil in the custody of the La Pasada Halfway House upon availability.

4. On May 16, 2024, Defense Counsel was informed that Orlana Vigil will move into her aunt's home. Ms. Orlana Vigil will be his third-party custodian.

5. Pretrial Services conducted a home assessment of the residence and found the home suitable for supervision purposes.

6. Mr. Vigil requests that the Court modify his conditions of release and allow Mr. Vigil to live with his sister and to change his residence to the address in Dulce, New Mexico.

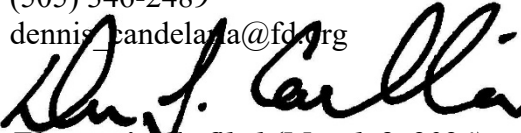
7. All other conditions will remain the same.

WHEREFORE, Mr. Vigil respectfully requests that the Court modify his conditions of release to change his residence to the Dulce address, with all other conditions to remain in effect.

Respectfully submitted,

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A handwritten signature in black ink, appearing to read "Dennis J. Candelaria", is written over the printed name and contact information.

Electronically filed (March 8, 2024)

By: /s/ Dennis J. Candelaria

DENNIS J. CANDELARIA, AFD
Attorney for Orlyn G. Vigil